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**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**UNITED STATES OF AMERICA and  
VICTOR CROWE, Revenue Agent,**

**Petitioners,**

**v.**

**RICHARD T. McCORMICK,**

**Respondent.**

**Case No. 03:08-cv-00109-BZ**

**MOTION TO CONTINUE**

Pursuant to Civil L.R. 6-3, petitioners request an extension of the March 5, 2008 hearing until May 7, 2008. (Dckt. No. 3.) Although several attempts have been made, petitioners have been unable to serve respondent with a copy of the January 17, 2008 Order to Show Cause. For that reason, the hearing should be rescheduled and petitioners request additional time to complete service. An amended proposed Order to Show Cause is submitted herewith.

**JOSEPH P. RUSSONIELLO**  
United States Attorney

/s/ Thomas M. Newman  
**THOMAS M. NEWMAN**  
Assistant United States Attorney  
Tax Division

*Motion to Continue*  
Case No. 03:08-cv-109-BZ

**CERTIFICATE OF SERVICE**

The undersigned further certifies that I caused a copy of the Motion to Continue, and Proposed Order to be sent by First Class Mail to the following:

Richard T. McCormick  
2800 Longview Road  
Antioch, CA 94509

Executed on **February 28, 2008** at San Francisco, California.

/s/ Thomas M. Newman  
THOMAS M. NEWMAN

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

<b>UNITED STATES OF AMERICA and VICTOR CROWE, Revenue Agent,</b>	)	<b>Case No. 03:08-cv-00109-BZ</b>
<b>Petitioners,</b>	)	
<b>v.</b>	)	<b>AMENDED ORDER TO SHOW CAUSE</b>
<b>RICHARD T. McCORMICK,</b>	)	
<b>Respondent.</b>	)	

Good cause having been shown by the petitioner upon its petition filed in the above-entitled proceeding on January 7, 2008, it is hereby:

**ORDERED** that respondent Richard T. McCormick appear before this Court on the 7<sup>th</sup> day of May, 2008, at 10:00 a.m., in Courtroom No. G, 15th Floor, United States District Court, 450 Golden Gate Avenue, San Francisco, California, and then and there show cause, if any, why respondent should not be compelled to appear and provide documents and testimony as required by the summons heretofore served upon respondent as alleged and set forth in particular in said petition; and it is further

**ORDERED** that a copy of this Amended Order to Show Cause, together with a copy of the aforesaid petition, be served upon said respondent in accordance with Rule 4 of the Federal Rules of Civil Procedure at least thirty-five (35) days before the return date of this Amended Order above specified; and it is further

**ORDERED** that within twenty-one (21) days before the return date of this Amended Order, respondent may file and serve a written response to the petition, supported by appropriate affidavit(s) or declaration(s) in conformance with 28 U.S.C. § 1746, as well as any motion respondent desires to make, that the petitioner may file and serve a written reply to such response, if any, within fourteen (14) days before the return date of this Amended Order; that all motions and issues raised by the pleadings will be considered on the return date of this Amended Order, and only those issues raised by motion or brought into controversy by the responsive pleadings and supported by affidavit(s) or declaration(s) will be considered at the return of this Amended Order, and any uncontested allegation in the petition will be considered admitted.

**ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2008, at San Francisco,  
California.

**BERNARD ZIMMERMAN**  
**UNITED STATES MAGISTRATE JUDGE**